

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

JAMES E. WRIGHT,)
)
 Plaintiff,)
)
 v.) Case No. 13-CV-24-JED-FHM
)
 BNSF RAILWAY CO.,)
)
 Defendant.)

OPINION AND ORDER

Plaintiff's Motion to Compel Defendant to Provide Testimony Pursuant to Rule 30(b)(6), [Dkt. 105], is before the court for decision. The motion has been fully briefed. [Dkts. 112, 115].

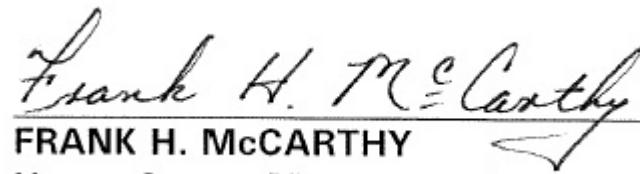
Plaintiff seeks an order compelling Defendant to produce documents and Rule 30(b)(6) testimony which Plaintiff contends was previously ordered by the court in ruling on Defendant's *Motion to Quash*. [Dkt. 44]. Generally speaking, the documents and testimony Plaintiff seeks concern step by step procedures for performing all carmen job duties and how the step by step procedures were developed.

Defendant responds that the documents and testimony Plaintiff now seeks were not requested by the Plaintiff in the discovery that was at issue in the *Motion to Quash*, or in any other discovery issued by Plaintiff, and that the court did not order Defendant to produce the documents or testimony Plaintiff now seeks.

With the exception of step by step instructions for one specific job, the discovery at issue in the *Motion to Quash* concerned ergonomic studies to determine stresses and potential for injury from jobs. The court's order did not cover the documents and testimony Plaintiff seeks in this motion.

Plaintiff's *Motion to Compel Defendant to Provide Testimony Pursuant to Rule 30(b)(6)*, [Dkt. 105], is DENIED.

SO ORDERED this 19th day of October, 2015.


FRANK H. McCARTHY
UNITED STATES MAGISTRATE JUDGE